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TO RUEHC/SECSTATE WASHDC PRIORITY 8588
INFO RUEHZM/GULF COOPERATION COUNCIL COLLECTIVE PRIORITY

UNCLAS SECTION 01 OF 02 KUWAIT 000428

SIPDIS

SENSITIVE
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STATE PLEASE PASS TO USTR JBUNTIN
FOR NEA/ARP, EB/TPP/IE

E.O. 12958: N/A
TAGS: [ETRD](#) [ECON](#) [KIPR](#) [KU](#)
SUBJECT: GOK DOCUMENTS IPR EFFORTS

REF: KUWAIT 264

11. (SBU) On March 17, Post received a Diplomatic Note in response to our written request in January soliciting input for the 2007 Special 301 Review. With the Note is a letter from the Ministry of Commerce and Industry to the Ministry of Foreign Affairs which includes a statement detailing seizure totals for various counterfeit products. The totals are for raids and seizures conducted by the Ministries of Commerce and Information, and appear to be credible (the Ministries verbally reported similar seizure totals to Econoff during Post's preparation of its Special 301 submission). The statement does not include the activities of Kuwait Customs (see Ref A for discussion of Kuwait Customs' seizures during 2006). Although the submission is late, the fact that the GOK responded to the request for Special 301 input is an encouraging sign, as we received no written input for the 2006 review despite our request. It also points to the increasing effectiveness of the inter-ministerial IPR committee (lead by the Ministry of Commerce) at gathering data on the enforcement activities of the various offices with IPR responsibility, and to better record-keeping by enforcement personnel in general. The document will also serve as a useful reference for us to follow up on how the Kuwaitis handle prosecutions of the most egregious offenders.

12. (SBU) Begin text of Minister of Commerce and Industry letter, translated by embassy staff, under cover of complimentary Diplomatic Note from the Legal Department of the MFA.

Ministry of Commerce and Industry
March 6, 2007
Ref. No. 8963
To: Undersecretary, Ministry of Foreign Affairs

This is in reference to your letter No. 2449, dated January 31, 2007, and your letter No. 3044, dated February 6, 2007, regarding providing the U.S. Embassy with the Government of Kuwait's efforts pertaining to intellectual property rights, which will be included in the annual IPR report prepared by the U.S. Trade Representative.

We would like to inform you that the Ministry of Commerce has conducted a total of 122 IPR seizures. These seizures included a total of 754,701 A/V DVDs and CDs, and recording machines. We have also seized 22,875 counterfeit containers of washing detergent powder. In a raid on one store we found 23,600 DVDs and CDs. Companies were raided for counterfeiting the Adidas trademark, for selling counterfeit satellite cards for a sports channel, and for selling pirated movies. The Ministry of Information seized 116,165 items during the year. These included seizures of counterfeit cassette tapes, hard disks, XBoxes, catalogues, and VHS tapes, totaling 16,377. Attached please find a complete account of

IPR seizures.

Please review and take the necessary action.

For Undersecretary of Commerce and Industry
Shaker Abdul Hadi Al-Naki
Director
International Relations Department

13. (SBU) Begin text of statement of seized items, page one:

Detailed Statement of Seized Counterfeit Materials

First Seizure: 10 citations for selling and promoting a total of 15,600 counterfeit/replicated DVDs and CDs.

Second Seizure: 12 citations for selling and promoting a total of 61,572 counterfeit/replicated DVDs and CDs.

Third Seizure: 16 citations for selling and promoting a total of 132,342 counterfeit/replicated DVDs and CDs.

Fourth Seizure: 9 citations for selling and promoting a total of 7,804 counterfeit/replicated DVDs and CDs.

Fifth Seizure: 1 citation for selling and promoting a total of 26,550 counterfeit/replicated DVDs and CDs.

Sixth Seizure: 4 citations for selling and promoting a total of 205,083 counterfeit/replicated DVDs and CDs.

Seventh Seizure: 1 citation for selling and promoting a total of 36,350 counterfeit/replicated DVDs and CDs.

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Eight Seizure: 24 citations for selling and promoting a total of 24,000 counterfeit/replicated DVDs and CDs.

Ninth Seizure: 1 citation for selling and promoting a total of 3,400 counterfeit/replicated DVDs and CDs.

14. (SBU) Begin text of statement of seized items, page two:

Ministry of Information
Artistic Works Department
Inspection Control
Seized Material Report

Type	Quantity
Audio CDs	10,177
Cassette Tapes	14,253
VCDs	54,942
Playstation CDs/DVDs	44,897
Hard Disks	13
Computer Software CDs	1,404
Xbox CDs/DVDs	468
Jim Boy	296
Catalogues	106
Books	41
VHS Tapes	1,200
Movie DVDs	4,745

Number of cases referred for prosecution: 289

Number of misdemeanor cases: 123

For more reporting from Embassy Kuwait, visit:
<http://www.state.sgov.gov/p/nea/kuwait/?cable s>

Visit Kuwait's Classified Website:
<http://www.state.sgov.gov/p/nea/kuwait/>

LeBaron